

## REMARKS

In response to the Office Action dated April 12, 2005, Applicants respectfully request reconsideration and withdrawal of the rejections of the claims. The indication that claims 34 and 35 contain allowable subject matter is noted with appreciation. The rewriting of these claims in independent form is being held in abeyance, pending consideration of this response.

The Office Action states that the application does not comply with one or more of the conditions for receiving the benefit of an earlier filing date under 35 U.S.C § 120. It is respectfully noted, however, that the present application was amended to include a reference to the earlier application at the time of filing. See the Request for Filing Continuation/Divisional Application, at page 3, item 12. The Examiner is respectfully requested to confirm that this amendment has been properly entered into the record.

Claim 32 was objected to as failing to further limit the subject matter of a previous claim. To remove the basis for this objection, claim 32 has been canceled.

Claims 20-33 and 38 were rejected under 35 U.S.C. § 102, on the basis of the Kunihiro reference (JP 10-333154). Claim 37 was rejected under 35 U.S.C § 103 on the basis of this reference.

The Kunihiro reference discloses the use of a photochemically sensitive azodye to form the photo-active layer. See, for example, the English translation of the reference at paragraph [0022], which states that it is necessary to combine an optically activated molecule with the active group. In contrast, in the present invention, a photochemically stable substance is used for the preparation of the photo-alignment layer. Claim 20 has

been amended to more clearly bring out this feature of the invention. Support for this amendment can be found in the original specification, for example, at page 13, line 8.

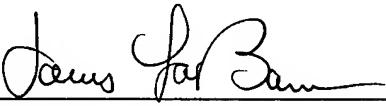
In view of the foregoing, it is respectfully submitted that the subject matter of the currently pending claims is neither anticipated, nor otherwise suggested, by the Kunihiro reference. Reconsideration and withdrawal of the rejections is respectfully requested.

Amendments to the specification are being submitted with this response. It is respectfully submitted that these amendments do not constitute new matter. Rather, they merely serve to further explain the inherent characteristics of the invention. Furthermore, they do not affect the scope of the claims, nor are they required to support the claimed subject matter. Entry of the amendments is submitted to be proper, and is respectfully requested.

Respectfully submitted,

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Date: August 12, 2005

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